

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL REYNOLDS,
Plaintiff

: 3:09cv2072

: (Judge Munley)

v.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS,
STATE CORRECTIONAL INSTITUTE OF
MAHANOEY,
JEFFREY A. BEARD,
JOHN KERESTES,
DON F. YOUNG,
JOHN DOES 1-10,
Defendants

ORDER

The above civil case is listed for a **PRE-TRIAL CONFERENCE** on **Friday, August 27, 2010 at 10:00**, in the chambers of Judge James M. Munley, William J. Nealon Federal Building, Corner North Washington Avenue and Linden Street, Scranton, Pennsylvania.

ALL COUNSEL ARE HEREBY ATTACHED. NO CONTINUANCES WILL BE GRANTED.

Strict compliance with our Local Rules, including Rules 16.2 (Participants), 16.3 (Conference of Attorneys) and 16.6 (pretrial memorandum), as well as this court's Standing Order #1 concerning the pretrial conference, is required. Copies of the Local Rules are available at the Clerk's Office. Failure to appear and/or comply with the Local Rules will result in the imposition of sanctions, including dismissal of the case.

MOTIONS IN LIMINE: All motions in limine including those involving the challenge of expert witness testimony under Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993) shall be filed fourteen (14) days prior to the pretrial conference. Briefs in opposition to the motions in limine, including Daubert motions, shall be due seven (7) days prior to the pretrial conference. All briefs shall be no more than six (6) pages double-spaced.

Daubert/expert witness issues: If there is a Daubert expert witness issue, the party challenging the evidence is required to address the issue at time of deposing the witness. If no deposition is taken of the expert witness, the complaining party should depose the witness so that a record will be made. A copy of the deposition transcript, expert report(s), affidavit(s), if any, and the party's brief outlining the basis for their objection to the testimony, with references to page and line numbers of the deposition transcript, supporting their position shall be filed with the court fourteen (14) days prior to the pretrial conference, pursuant to the motion in limine schedule outlined above.

As time is of the essence with such motions, the motions in limine, including those involving Daubert issues will not be addressed if they are not timely filed.

BY THE COURT:

**s/James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court**

Dated: 7/12/10